

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**C&J ASSOCIATES PEST CONTROL )  
and CURTIS DUNCAN, )**

**PLAINTIFFS, )**

**VS. )**

**2:06-CV-884-MEF**

**BOB RILEY, et al., )**

**DEFENDANTS. )**

**AMENDED RESPONSE TO REPORT  
OF PARTIES' PLANNING MEETING**

Comes now Defendant, Bruce Alverson, by and through counsel, and files this Amended Response to Report of Parties' Planning Meeting filed by co-counsel on August 20, 2007. Movant shows the court as follows:

1. The undersigned agrees to statements made by Samantha Smith that she did contact the undersigned concerning his position for the parties' planning meeting. Unfortunately, the web server for Andalusia, Alabama recently crashed due to extensive heat and many e-mails were lost. Nonetheless, Defendant was under duty to contact co-counsel and failed to do so. Defendant Alverson has no objection to the scheduling as proposed by the parties.

2. Defendant's Alverson's defense is of the same position as Defendants' McMullen, Bloch and Debrow in as such Defendant Alverson re-alleges and adopts said defense position.

3. The undersigned respectfully apologizes for the delay in the response and appreciates efforts on behalf of co-counsel.

WHEREFORE, based upon the foregoing, movant requests an Amended Response to Report of Parties' Planning Meeting.

Respectfully submitted,

s/ William B. Alverson, Jr.  
William B. Alverson, Jr.  
Bar Number ASB-1162-A60W  
Attorneys for Plaintiffs  
ALBRITTONS, CLIFTON, ALVERSON,  
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OF COUNSEL:

ALBRITTONS, CLIFTON, ALVERSON,  
MOODY & BOWDEN  
Post Office Drawer 880  
Andalusia, Alabama 36420  
334-222-3177

**CERTIFICATE OF SERVICE**

I hereby certify that I have this date served a copy of the foregoing upon all parties in this cause by placing a copy of same in the United States mail, postage prepaid, addressed as follows on this the 23rd day of August, 2007:

Mr. Curtis Duncan  
C&J Associates, Pest Control  
Post Office Box 8186  
Montgomery, Alabama 36110

Mr. Richard H. Cater  
State Finance Director's Office  
State Capitol  
N-105  
600 Dexter Avenue  
Montgomery, Alabama 36130

Mr. Robert J. Russell, Sr.  
Department of Agriculture & Industries  
Post Office Box 3336  
1445 Federal Drive  
81 Watson Circle  
Montgomery, Alabama 36107

Mr. Scott L. Rouse  
Office of the Governor  
State Capitol, Suite NB-05  
600 Dexter Avenue  
Montgomery, Alabama 36130  
Mr. Benjamin H. Albritton  
Office of the Attorney General  
Alabama State House  
11 South Union Street  
Montgomery, Alabama 36130

Ms. Robin G. Laurie  
G. Lane Knight  
Balch & Bingham, LLP  
Post Office Box 78  
Montgomery, Alabama 36101

Mr. William L. Tucker  
Page, Scrantom, Sprouse,  
Tucker & Ford, P.C.  
Synovus Centre  
1111 Bay Avenue, Third Floor  
Columbus, Georgia 31901

s/ William B. Alverson, Jr.  
William B. Alverson, Jr.

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<b>C&amp;J ASSOCIATES PEST CONTROL</b>	)	
<b>and CURTIS DUNCAN,</b>	)	
	)	
<b>PLAINTIFFS,</b>	)	
	)	
<b>VS.</b>		)
		<b>2:06-CV-884-MEF</b>
	)	
<b>BOB RILEY, et al.,</b>	)	
	)	
<b>DEFENDANTS.</b>	)	

**AFFIDAVIT**

Comes now the undersigned, Tina Ballard, and after being duly sworn does hereby testify as follows:

1. My name is Tina Ballard. I am a resident of the State of Alabama and over twenty-one (21) years of age. This Affidavit concerns information of which I have personal knowledge.
2. I am a legal secretary to William B. Alverson, Jr., attorney for Defendant Bruce Alverson.
3. I contacted the Clerk's Office on November 30, 2006, and verified that William B. Alverson, Jr., had not been listed as the attorney of record for Defendant Bruce Alverson. I was informed that there had been a clerical error.
4. On November 30, 2006, William B. Alverson was listed as attorney of record for Defendant Bruce Alverson.

Further saith the Affiant not.

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Tina Ballard

STATE OF ALABAMA}  
COVINGTON COUNTY}

I, \_\_\_\_\_, a Notary Public in and for said County, in said State, hereby certify that Tina Ballard, whose name is signed to the foregoing Affidavit and who is

known to me, acknowledged before me under oath on this day that after first being duly sworn and after being informed of the contents of this Affidavit, that the same is true. She then executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this, the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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NOTARY PUBLIC

My commission expires:

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(NOTARIAL SEAL)

